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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0653-SI-EMC
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
ABEL LOPEZ-MENERA,	)	
a/k/a Jose Lopez-Martinez,	)	
a/k/a Bernabe Banderas Lopez,	)	
	)	
Defendant.	)	

On October 22, 2007, the parties in this case appeared before the Court and stipulated that time from October 16, 2007 through November 9, 2007 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery that the United States produced in this case. The parties represented that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The

1 parties also agreed that the ends of justice served by this continuance outweighed the best  
2 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

3  
4 SO STIPULATED:

5  
6 SCOTT N. SCHOOLS  
United States Attorney

7  
8 DATED: October 25, 2007

/s/  
9 TAREK HELOU  
Assistant United States Attorney

10  
11 DATED: October 25, 2007

/s/  
12 ELIZABETH FALK  
Attorney for Defendant Abel Lopez-Menera

13  
14 As the Court found on October 22, 2007, and for the reasons stated above, the Court finds  
15 that the ends of justice served by the requested continuance outweigh the best interests of the  
16 public and the defendant in a speedy trial. The Court also finds that time from October 16, 2007  
17 through November 9, 2007 should be excluded from Speedy Trial Act calculations for effective  
18 preparation of defense counsel. 18 U.S.C. §3161 (h)(8)(A). Failing to grant the requested  
19 continuance would deny counsel reasonable time necessary for effective preparation, taking into  
20 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.  
21 §3161(h)(8)(B)(iv).

22  
23 SO ORDERED.

24  
25 DATED: \_\_\_\_\_

26 THE HONORABLE EDWARD M. CHEN  
United States Magistrate Judge